



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.12103 of 2018

A.Kathiresan

... Petitioner

vs.

The Tahsildar
Bodinayakanur Taluk
Theni District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to correct the classification of the petitioner's agriculture land measuring 1 acre 50.19 cents situated in Survey No.612/1, Patta No.1448 at West Manthai Field, Bodinayakkanur Village, Theni District in the Thoraya Patta No.1448 as "Punja" instead of "Manaikattu Paguthi- sa Manai".

For Petitioner : Mr. M.Kannan
For Respondents : Mr.V.Anand
Government Advocate

ORDER

Mr.V.Anand learned counsel, takes notice for the respondent

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 09.05.2018 seeking the respondent to correct the classification of the his agriculture land measuring 1 acre 50.19 cents situated in Survey No.612/1, Patta No.1448 at West Manthai Field, Bodinayakkanur Village, Theni District in the Thoraya Patta No.1448 as "Punja" instead of "Manaikattu Paguthi- sa Manai", has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is ~~needless to point~~ out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to



dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 09.05.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Bodinayakanur Taluk,
Theni District.

+ 1 CC TO Mr.M.KANNAN, ADVOCATE IN SR No. 67558

AAV
TE/SKN-RSK/SAR-1 : 18/06/2018 : 2P/3C

W.P. (MD) No.12103 of 2018
07.06.2018